

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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 DAVID A. JOFFE, :  
 :  
 Plaintiff, : 17-CV-3392 (VEC)  
 -against- :  
 :  
 KING & SPALDING LLP, :  
 :  
 Defendant. :  
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VALERIE CAPRONI, United States District Judge:

WHEREAS Mr. Joffe brought an ERISA claim and a New York state common law claim under *Wieder v. Skala*, 80 N.Y.2d 628 (1992) against King & Spalding, Compl., Dkt. 1;

WHEREAS on November 10, 2020, the parties stipulated to a non-jury trial on the ERISA claim, Dkt. 258;

WHEREAS on November 11, 2020, the Court informed the parties that it would decide the ERISA claim after the jury returned a verdict on the *Wieder* claim, Dkt. 259; and

WHEREAS on November 29, 2021, the jury returned a verdict in favor of King & Spalding on Mr. Joffe's *Wieder* claim;

IT IS HEREBY ORDERED that by no later than **Friday, December 17, 2021**, Mr. Joffe must show cause why judgment should not be entered in King & Spalding's favor on his ERISA claim given the record developed at trial.

**SO ORDERED.**

Date: November 30, 2021  
New York, NY

*Valerie Caproni*  
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VALERIE CAPRONI  
United States District Judge